



General Assembly

**Substitute Bill No. 5521**

January Session, 2009

\* HB05521JUD\_\_042809\_\_ \*

**AN ACT ELIMINATING CREDIT REPORTS AS A BASIS FOR  
EMPLOYMENT DECISIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2009*) (a) No employer or an  
2 employer's agent, representative or designee may require an employee  
3 or prospective employee to consent to the creation of a consumer  
4 report that contains information about the employee's or prospective  
5 employee's credit score, credit account balances, savings or checking  
6 account balances or savings or checking account numbers, as a  
7 condition of employment unless (1) such a report is substantially  
8 related to the employee's current or potential job, (2) such report is  
9 required by law, or (3) the employer has reasonable cause to believe  
10 the employee has engaged in specific activity that constitutes a  
11 violation of the law. For the purposes of this section, "employee"  
12 means any person engaged in service to an employer in a business of  
13 his employer, and "employer" means any person engaged in business  
14 who has one or more employees, including the state or any political  
15 subdivision of the state.

16 (b) Any employee or prospective employee may file a complaint  
17 with the Labor Commissioner alleging a violation of the provisions of  
18 subsection (a) of this section. Upon receipt of such complaint, the  
19 commissioner shall hold a hearing, in accordance with the provisions

20 of chapter 54 of the general statutes. The commissioner shall impose a  
21 fine of five hundred dollars on an employer for each report created in  
22 violation of this section, which shall be paid to the aggrieved employee  
23 or prospective employee, and may award the employee or prospective  
24 employee all other appropriate relief. Any party aggrieved by a  
25 decision of the commissioner may appeal the decision to the Superior  
26 Court in accordance with the provisions of said chapter 54.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2009</i>	New section
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**LAB**      *Joint Favorable Subst.*

**JUD**      *Joint Favorable*